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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,522	02/10/2004	Matthew G. Goodman	ASMEX.433A	1057
68852 7590 12/01/2009 Knobbe, Martens, Olson & Bear LLP 2040 Main Street 14th Floor Irvine, CA 92614				
EXAMINER MACARTHUR, SYLVIA				
ART UNIT		PAPER NUMBER		
1792				
MAIL DATE		DELIVERY MODE		
12/01/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action**  
**Before the Filing of an Appeal Brief**

**Application No.**

10/775,522

**Applicant(s)**

GOODMAN ET AL.

**Examiner**

Sylvia R. MacArthur

**Art Unit**

1792

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 16 November 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any extended patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 1-11.  
Claim(s) withdrawn from consideration: 38-43.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☒ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

November 27, 2009

/Sylvia R MacArthur/  
Primary Examiner, Art Unit 1792

Continuation of 11. does NOT place the application in condition for allowance because: The examiner has considered applicant's arguments regarding the prior art of Huang et al (US 2004/0094095) and Gardner et al (US 5,300,175). Upon review of the arguments of Gardner et al, it has been found that the prior art of Gardner et al should be maintained that applicant's arguments are unpersuasive. Namely, argues that the prior art of Gardner et al fails to teach a reaction chamber, see page 5 paragraph 4. However, the recitation of a reaction chamber was interpreted broadly as reaction chamber to one of ordinary skill is a term often synonymous with process vessel. Note that reactions can be at least chemical or physical in nature. The chamber (pressure vessel 48) of Gardner allows for bonding to take place between the submount 44 and the adhesive material of the wafer see col.5 lines 25-60. The bonding process, suction, and pressure differentially all affect the wafer are where the examiner bases the assertion of a reaction chamber. Note that applicant fails to claim the structurally distinction between the "reaction chamber" of the prior art and that of Gardner et al. Applicant then argues in the paragraph that joins pages 6 and 7 that the same substrate moves from the first to the second load platform, but this is not claimed. Lastly, applicant argues that Gardner et al fails to disclose that each of the first and second load platforms is dimensioned and configured to directly support the substrate. The examiner broadly interprets this limitation to as at least a portion of the platform physical contacts the wafer. According to Gardner et al mount 21 and surmounts 30 and 62 support/load /mount the wafer see abstract, Figures, and col. 2 lines 47-53. For at least the reasons above, the prior art of Gardner et al will be maintained. Furthermore, claim 43 is identified as previously presented, but should be recited withdrawn as per the Remarks second sentence of page 5 wherein claims 38-43 as recited as being withdrawn.

Regarding the arguments basis (see last paragraph of page 7) Huang et al, it is noted that Huang et al teaches one load platform (support shoulder 55) and fails to teach a second load platform .